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Atty. Docket No. PD-200225

REMARKS

Examiner's comments in the Office Action marked "non-final" and dated September 10, 2007 have been read and carefully considered by Applicant. In view of such comments, Applicant has amended the set of claims in the present Application as set forth hereinabove. In particular, independent claims 1, 9, and 17 and also dependent claims 2-3, 10-16, and 18-21 have all been amended to better highlight the patentable differences of Applicant's proposed invention as compared to the prior art cited by Examiner in the Office Action. In amending these claims, however, Applicant maintains that no new matter has been impermissibly introduced into the present Application. Since no claims have been altogether cancelled and no entirely new claims have been added herein by Applicant, all claims 1-21 remain pending in Applicant's present Application for Examiner's consideration.

At the present time, it is Applicant's good faith belief that the pending claims, as presented herein, are both novel and non-obvious in view of all known prior art and that the claims properly comply with all applicable statutory requirements. Therefore, Applicant respectfully avers that the pending claims now place the present Application in a condition for allowance and notice thereof is respectfully requested.

Amendments to the Specification:

Also, in the present Amendment, Applicant has amended paragraphs 0004, 0012, 0013, 0015, 0019, and 0021 of the written specification in the Application. (See amended paragraphs set forth hereinabove.) In general, these paragraphs in the specification have been amended so as to merely correct obvious typographical errors that were present in the Application as originally filed. Therefore, in making such amendments, Applicant again respectfully maintains that no new matter has been impermissibly added to the present Application.

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Objection to Claim:

In the Office Action, Examiner objected to dependent claim 12 for omitting the word "if" therein.

In response, Applicant has amended claim 12 as set forth hereinabove by appropriately inserting the word "if" therein. In view of such, Applicant respectfully requests that Examiner's objection to claim 12 be withdrawn.

Rejections of Claims under 35 U.S.C. § 102(e) and § 103(a):

In the Office Action, Examiner rejected claims 1-5, 8, 9, and 13-21 under 35 U.S.C. § 102(e) as being anticipated and therefore rendered unpatentable by United States Patent Application Publication Number US 2004/0268406, which was published for Carlton J. Sparrell *et al.* on December 30, 2004 (hereinafter "Sparrell"). Also, in the Office Action, Examiner rejected claim 6 under 35 U.S.C. § 103(a) as being rendered obvious and therefore unpatentable by Sparrell in view of United States Patent Number 7,127,734, which was issued to Mati Amit on October 24, 2006 ("Amit"). Lastly, in the Office Action, Examiner rejected claims 7 and 10-12 under 35 U.S.C. § 103(a) as being rendered obvious and therefore unpatentable by Sparrell in view of United States Patent Number 7,109,908, which was issued to Eugene W. Griesau *et al.* on September 19, 2006 ("Griesau").

In response, Applicant has herein amended claims 1-21 as set forth hereinabove. In view of the claims as amended, Applicant now respectfully traverses the 35 U.S.C. § 102(e) and § 103(a) claim rejections set forth in the Office Action and requests that the rejections of claims 1-21 all be withdrawn.

Specifically, the main Sparrell application is cited for teaching the distribution system of the present invention. However, in paragraph [0077] specifically cited by the Office Action, Sparrell clearly states that "the centralized resource manager has no way of knowing when any particular TV is on or off. If Mom turns off the TV in the kitchen, without indicating this action to the centralized resource manager, the tuner associated with the kitchen TV is still allocated to

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the media pipeline she requested." The only other way to know if a TV is turned off is to go look at the TV itself (see paragraph [0077], or to wait for a request to be completed (see paragraph [0078], e.g., when the recording of an event is completed. As such, the centralized resource manager operates in only one state, e.g., it is controlling all of the pipelines. It does not change state based on outside boxes, rather, it receives commands and operates on those commands until a new command comes and changes the request or resource allocation.

Thus, Sparrell does not teach nor suggest that there is a way for the centralized resource manager to determine by itself when the resources in the system are no longer needed by specific clients. Further, Sparrell must not be able to then teach or suggest that a slave client is operable to perform different tasks depending on the state of the television as claimed in claim 1, placing the slave client in a predetermined state as claimed in claim 9, and operable in several different states as claimed in claim 17. The ancillary Amit and Griesau references do not remedy this deficiency in the Sparrell reference.

As such, the cited references do not teach nor suggest at least the limitations set forth in independent claims 1, 9, and 17, and thus cannot teach nor suggest the limitations of the claims dependent therefrom, because each of the dependent claims contains all of the limitations of the independent claims from which they are based.

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CONCLUSION

In view of the claims as amended and also the foregoing remarks, Applicant respectfully submits that claims 1-21 are all both novel and non-obvious with respect to the disclosures and teachings of Sparrell, Amit, and Griesau and that these claims properly comply with all statutory requirements. Therefore, Applicant respectfully requests that Examiner's claim rejections in the Office Action be withdrawn and that a Notice of Allowance be issued for all claims 1-21.

Should Examiner have any questions with respect to any matter now of record, Examiner is invited to contact Applicant's undersigned attorney.

Should any fees be associated with this submission, please charge Deposit Account 50-0383.

Respectfully submitted,
Attorney for Applicants



Anthony J. O'Neil, Reg. No. 41,232

The DIRECTV Group, Inc.
CA/LA1/A109
P. O. Box 956
2230 East Imperial Highway
El Segundo, CA 90245-0956
Telephone No. (310) 964-4615

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